

Amendment and Response
U.S. Serial No. 10/608,809
Filed: June 27, 2003
Attorney Docket No: 210-609INT

REMARKS

Claims 37-59 have been allowed, and are therefore not repeated herein in accordance with MPEP 714 and 37 C.F.R. §1.121(c). The latter regulation includes the instruction that “Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application.” However, the section is silent as to the treatment of allowed claims after prosecution on the merits is closed, which claims are not amended, as is the situation here. Applicants therefore do not list in this paper the claims as presently allowed, as no amendment to any allowed claim is presented herein. If Applicants are mistaken and the claims as allowed should be presented again as previously presented, Applicants respectfully request that their undersigned representative be so notified immediately.

Examiner Spitzer has indicated previously proposed paragraph [0041a] is acceptable for amendment into the Specification.

Amendment and Response
U.S. Serial No. 10/608,809
Filed: June 27, 2003
Attorney Docket No: 210-609INT

CONCLUSION

Applicants thank Examiner Spitzer for his indication that claims 37-59 are allowed and that the application is in condition for allowance after the two amendments to the specification are entered. Applicants respectfully request entry of replacement paragraph [0013] and new paragraph [0041a]. Applicants respectfully request that the interference with United States Patent No. 6,413,298 requested at the time of filing the present application be declared.

If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is requested to call Applicants' attorney at the phone number noted below.

Respectfully submitted,
WALL MARJAMA & BILINSKI LLP

By:


Joseph B. Milstein, Ph. D., Reg. No. 42,897
101 South Salina Street, 4th Floor
Syracuse, NY 13202
Telephone: (315) 425-9000
Facsimile: (315) 425-9114

Date: September 1, 2005

JBM

Customer No.: ***20874***
20874
PATENT TRADEMARK OFFICE